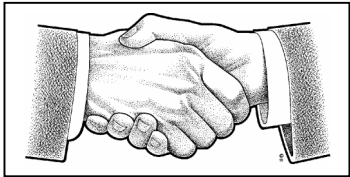


Chapter 2: Confidentiality Agreement and Security Guidelines

Section Summaries: **Why Confidentiality?**



The Census Bureau is required by law to maintain the confidentiality of all information it collects from or about an individual, including their address. To safeguard this confidentiality, the law requires that all local and tribal officials and staff who will view the address list or maps that show housing unit locations sign the Confidentiality Agreement.

Significance of the Confidentiality Agreement

All individuals working with Address List Review materials must read, understand, and sign the Confidentiality Agreement so that they can participate in the Address List Review activity. You will not receive Address List Review materials until the Census Bureau receives a completed Confidentiality Agreement.

Security Guidelines

Protection of paper and computer-readable Address List Review materials. The primary Address List Review Liaison is responsible for the security of materials covered by Title 13.

Compliance with the Security Guidelines

Census Bureau staff will present training on security. Unannounced onsite visits may be made to ensure maintenance of confidentiality safeguards.

Return or Destruction of Census Bureau Materials

Return all pages of the Block Housing Unit Summary list and Census Bureau maps with updates to the Census Bureau for updating and discrepancy checks. Destroy all other materials. Ship all Census Bureau materials with services that provide tracing services. Send multiple packages containing Census Bureau materials as a unit.

***Never** deposit Census Bureau materials that contain addresses or map spots in a trash or recycle container.*

Warning: All individuals must sign the Confidentiality Agreement and read this chapter before working on the Address List Review materials.

Why Confidentiality?

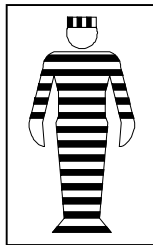
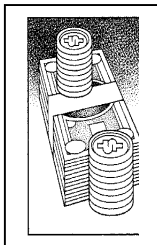


The mission of the Census Bureau is to collect and report the most accurate data possible. Since this information is collected from and about individuals, their privacy must be maintained. The Census Bureau is entrusted with this information as long as it is used correctly. Without complete confidentiality, the Census Bureau will lose this trust and our ability to collect complete and accurate data. For LUCA 1999, the Census Bureau is allowing local and tribal authorities to view our address information. These lists are confidential and the following rules and guidelines must be taken seriously.

Another reason the Census address list must be kept confidential is the law requires it. Title 13, United States Code (U.S.C.) provides for the confidential treatment of census related information. Chapter 1, Section 9 of the code states:

"Neither the Secretary, nor any other officer or employee of the Department of Commerce or bureau or agency thereof, or local government census liaison, may, except as provided in section 8 or 16 or chapter 10 of this title-

- 1) use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied; or
- 2) make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or
- 3) permit anyone other than the sworn officers and employees of the Department or bureau or agency thereof to examine the individual reports."



Section 214 of the code further explains that the penalty for the wrongful disclosure or release of information protected by Title 13 is a fine of not more than \$5,000 or imprisonment for not more than 5 years, or both.

To implement this law, all employees of the Census Bureau (both temporary and permanent) take an oath to maintain the confidentiality of the census information they encounter in their work. Census information includes everything on a completed or partially completed questionnaire, or obtained in a personal or telephone interview. In addition, it includes individual addresses, such as those the Census Bureau maintains in its Master Address File (MAF) and which local and tribal liaisons will be examining as part of the LUCA Program. It also includes maps that show individual housing unit locations. Generalized address information, such as the address range information available in the Census Bureau's TIGER/Line® products, is not considered protected by Title 13, U.S.C.

In 1994, the Congress amended Chapter 1 of Title 13, U.S.C. to allow locally-appointed liaisons to review the Census Bureau's address list for their area. This amendment recognizes the important role that local knowledge and participation can play in building the Census address list. **The amendment also provides for the continued confidentiality protection of individual address information and therefore limits the use of the Census address list by liaisons to the improvement of the Census address list.** For the LUCA program, we require the agreement of each local and tribal participant to abide by the rules explained in this chapter. You may wonder why addresses are considered confidential. In his remarks to the Congress explaining the intent of the Census Address List Improvement Act of 1994, Congressman Thomas Sawyer said:

"The subcommittee is well aware of, and sensitive to, concerns about personal privacy. It's probably true that most people do not view an address without related names, as private information. Frankly, address information is widely available in today's society from public and private sources. However, for two reasons, the legislation allows for only limited access to this most benign piece of census information.

The first reason is that it may be difficult to communicate clearly to the American public that the information in question does not contain names or any other identifying information besides the physical location of a housing unit....

The second reason for limiting access is that the Bureau's definition of a housing unit is necessarily broad and may include information not generally known. For example, that definition includes illegally occupied garages, offices, basement apartments, and other structures not normally inhabited. But while the effort to include every structure where a person lives is essential for an accurate count, the Bureau

might inadvertently have information on its address list that indicates the existence of a structure not properly zoned for residential dwelling...."

The Census Bureau is committed to maintaining the confidentiality of address information so that we can continue to have the American public's trust and support. Local governments cannot use the Census Bureau's address information to identify and prosecute citizens who have illegal conversions of residential units.

Significance of the Confidentiality Agreement

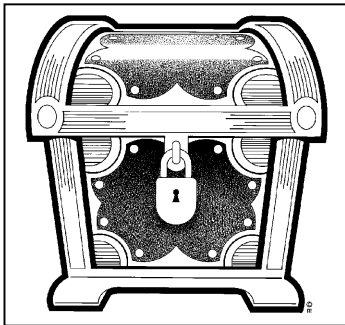
You **MUST** complete and sign the Confidentiality Agreement so that your office, agency, or organization can participate in the Address List Review; a copy of this form is found in Appendix B. Each participating agency should designate a primary liaison for the Address List Review. This individual will be the primary contact between your organization and the Census Bureau's RCC staff. We consider all other individuals who have access to the Census address information, both on lists and on the maps, as liaisons and they must sign the Confidentiality Agreement.

Signatures on this form constitute an agreement by each individual to abide by the security guidelines outlined in this *Technical Guide*. In this context, it is inappropriate to have any official with "enforcement" responsibilities work on the Address List Review. Although such staff may have detailed knowledge about the addresses in your jurisdiction, the opportunity they have to see confidential addresses will create at least the perception of a conflict of interest with their normal duties.

In addition to identifying the address review liaisons for your organization, section 4 of the Confidentiality Agreement provides space to confirm which geographic area(s) or jurisdiction(s) your organization represents for the purposes of this program. For example, a city's mayor and surrounding county officials together may decide to designate a regional planning organization to coordinate the review of all the Census addresses for the city and for the adjacent counties. If this is the case, indicate the specific areas represented in the appropriate space on the form (or use additional pages as necessary.)

IT IS IMPORTANT TO NOTE THAT THE CENSUS BUREAU WILL NOT TRANSMIT THE ADDRESS LIST REVIEW MATERIALS FOR YOUR AREA UNTIL WE HAVE RECEIVED A COMPLETED CONFIDENTIALITY AGREEMENT FROM YOU.

Security Guidelines



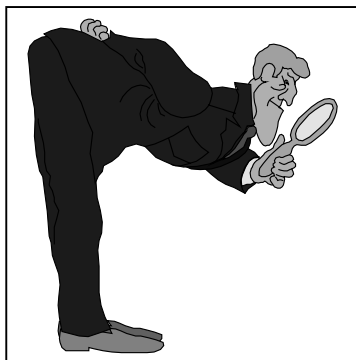
The Census Bureau accepts that the implementation of the security guidelines may vary slightly from one Address List Review participant to another, but the end results must be the same for each participant -- nondisclosure of Title 13 information. In Parts B and C we will be supplying you with specific security guidelines depending upon the materials that you choose to use.

The primary Address List Review liaison accepts responsibility for protecting and safeguarding the Address List Review materials covered by Title 13, U.S.C. This includes any list that shows individual Census addresses and any maps that show individual housing unit locations (called "map spots.") The primary liaison must restrict access to the Census address information to those individuals who have signed the Confidentiality Agreement. Only individuals with a "need to know" to perform the Address List Review work should sign the Confidentiality Agreement.

As you read the Census Bureau's security requirements, please keep in mind the important role security plays in the overall responsibilities of each Address List Review liaison. The Census Bureau must have your full cooperation and commitment to following these guidelines. Together, we will maintain the privacy of the information entrusted to the Census Bureau by the Congress and the American public.

Compliance with the Security Guidelines

The Census Bureau will conduct workshops covering all aspects of the Address List Review program. In addition, the workshops will provide an opportunity to review the security guidelines and safeguards to protect against illegal use of Census address information. Census Bureau staff conducting the workshops will help you decide who in your organization really needs to have access to the Census addresses and will review the civil and criminal penalties for improper or illegal use of the data. Individuals in your jurisdiction who are involved in enforcement may not work on the Address List Review because it would create a conflict of interest for them.

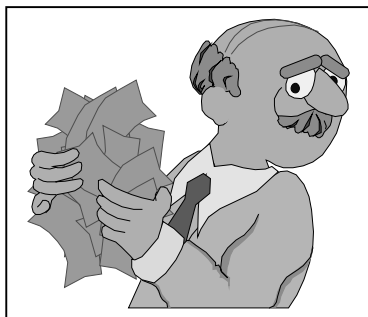


Surprise Onsite Visits

To ensure that participating organizations are maintaining adequate confidentiality safeguards, the Census Bureau may make unannounced, onsite visits to review your organization's security procedures. The Census Bureau will strive not to disrupt your office's operations. A typical visit would include a review of:

- Storage and handling of Census address information.
- Employee access to Census address information.
- The physical safeguards of the computers, rooms, and buildings.
- Instructions to employees about security.
- Data processing operations (including use of passwords).
- Employee awareness of their responsibilities to protect the confidentiality of the Census addresses.

Return or Destruction Of Census Bureau Materials



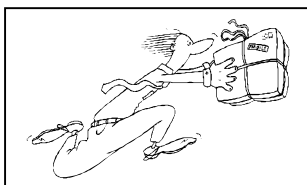
The Census Bureau has specific guidelines for destroying and mailing Census confidential material. Once your organization has completed the review of the Census address list or map spotted maps, the reconciliation phase of the Address List Review, and any subsequent appeal, we require that the primary liaison verifies that you have destroyed any remaining Census address materials using the guidelines provided in this section. A sample of the Destruction form is found in Appendix C. If your organization cannot comply with the guidelines for the destruction of the Census address materials, then you may return them by mail to the Census Bureau's Regional Census Center using a mailing label provided in the Address List Review materials and the mailing guidelines outlined below.

Returning Materials

Packing Materials

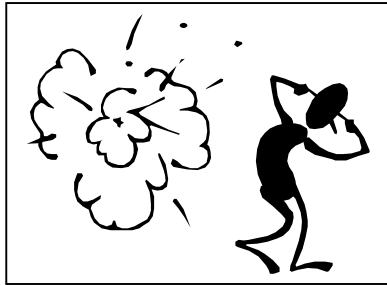
- Seal and reinforce all packages
- Enclose a letter to the Census Bureau's RCC notifying them of the shipment and listing its contents.
- If possible, send all materials at the same time. Use this rule for all mailings.

Shipping Packages



- Where available, use the Federal Express return labels you received with your maps.
- Use shipping contractors who provide tracing services, such as certified mail, priority mail, Federal Express, United Parcel Service, and so forth.
- Ship Census confidential material in two opaque, sealed envelopes, wrappings, or containers, durable enough to protect the material exposure or tampering. Label both sides of the inner envelope or wrapping with "DISCLOSURE PROHIBITED--13 U.S.C." Address the inner envelope to the Director, Census Bureau Regional Office. On the bottom of the label, mark attention and then the name of your RCC contact. For the specific address information, please refer to the list of Census Bureau's Regional Census Centers included in Part A chapter 1 of this *Technical Guide*. The outer envelope or wrapping should be appropriately addressed but should **NOT** display the security classification designation.
- Explain to carriers that multiple packages containing Census confidential material must travel and be delivered as a unit.

Destruction of Census Confidential Materials



- Never deposit Census confidential materials in a trash or recycle container.
- Store the materials in a secure area in a container labeled: "document destruction container" until they are destroyed.
- The destruction process must prevent recognition or reconstruction of the information. Use one of the methods below to destroy Census confidential materials:
 1. Shredding.
 2. Chemical decomposition
 3. Pulverizing (for example, hammer mills, choppers, and so forth).
 4. Burning (only in a facility approved by the Environmental Protection Agency).
- Select a method of destruction. If you are unsure as to the requirements for the method you have chosen, contact the RCC for your jurisdiction.
- Return the Destruction of Materials Form (see appendix C) to your RCC.